

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-20 were pending prior to the Office Action. Claims 21-132 have been added through this Reply. Therefore, claims 1-132 are pending. Claims 1, 10, 17, 19, 21, 30, 41, 49, 69, and 131 are independent.

ALLOWABLE SUBJECT MATTER

Applicants appreciate that claims 18 and 20 are indicated to define allowable subject matter.

DRAWING CORRECTIONS

Applicants thank the Examiner for approving the proposed drawing corrections filed on March 17, 2003. Corrected formal drawings are attached as noted above.

§ 102 REJECTION - PRIOR ART

Claims 1-17 and 19 stand rejected under 35 USC §102(a) as being anticipated by the prior art described in the Application (PAA). Applicants respectfully traverse.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. See *M.P.E.P.* 2131; *M.P.E.P.* 706.02. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, PAA fails to teach or suggest each and every claimed element of the rejected claims. For example, independent claim 1 recites, in part "intra-coded indicator information indicating whether both **all** images in a moving picture sequence are intra-coded, wherein the intra-coded indicator information **separate** from information indicating whether each individual image is intra coded." (*emphasis added*) Independent claims 1, 10, 17, and 19 recite similar features.

PAA cannot be relied upon to teach or suggest at least this feature. In the response to arguments section of the final Office Action, the Examiner appears to have concluded that the intra-coded indicator is inherently present for indicating all the images contained in the moving picture sequencer intra-coded and relied upon page 3, lines 21-28 of the specification.

Closer reading of the relied upon portion relies the Examiner's interpretation. More specifically, it is stated that

"the decoding side must analyze the header information of the **individual** VOPs to identify the coding mode applied to the VOPs." (*emphasis added*); see specification, page 3, lines 26-28. Thus, at best, PAA suggests an indicator for each VOP to indicate whether a particular VOP is intra-coded. PAA cannot be relied upon to teach or suggest an intra-coded indicator information indicating whether **all** images in a moving picture sequence are intra-coded. However, to clarify this distinction, independent claims have been amended to recite "wherein the intra-coded indicator information is separate from information indicating whether each individual image is intra-coded."

Because PAA cannot be relied upon to teach or suggest at least this feature, independent claims 1, 10, 17 and 19 are distinguishable over PAA. Claims 2-9 and 11-16 depend from independent claims 1 and 10, directly or indirectly. Therefore, for at least due to their dependency thereon as well as on their own merits, these dependent claims are also distinguishable over PAA. Applicants respectfully request that the rejection of claims 1-17 and 19 based on PAA be withdrawn.

NEW CLAIMS

Claims 21-132 have been added to this reply. All new claims are believed to be distinguishable over the cited prior art of record. Applicants respectfully request that the new claims be allowed.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a five (5) months extension of time (after Notice of Appeal filing) for filing a reply in connection with the present application, and the required fee of \$2,010.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s): Three (3) sheets of Drawings